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6
7 UNITED STATES DISTRICT COURT
8 DISTRICT OF NEVADA

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10
11 UNITED STATES OF AMERICA,)

12 Plaintiff,)

13 vs.)

14 STEVEN BYINGTON,)

15 Defendant.)
16)
17)
18)

2:11-cr-0349-GMN-PAL

GOVERNMENT'S APPLICATION
FOR EXTENSION OF TIME

19
20 The United States of America, by and through DANIEL G. BOGDEN, United
21 States Attorney, and CAMILLE W. DAMM, Assistant United States Attorney,
22 respectfully requests that the Court enter an Order granting a fourteen day extension
23 of time until April 18, 2016 within which to file its response to Chester's 28 U.S.C. §
24 2255 Motion in the above-captioned case.
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1 This order is sought for the following reasons:

2 1. Petitioner/Defendant Steven Byington has filed a motion pursuant
3 to 28 U.S.C. § 2255 to vacate, set aside or correct sentence by a person in federal
4 custody in the above-captioned case. Doc. 119. This Court ordered the government to
5 respond to Defendant's motion by April 4, 2016. Doc. 122.
6

7 2. This extension is requested and necessary due to the fact that the
8 United States Attorney's Office is in the process of moving. The undersigned was
9 unable to finish the response prior to the move due to unanticipated sick leave, for an
10 injury that will require surgery and for a severe chest cough and cold during the
11 month of March, as well as the press of work including a Ninth Circuit brief in *United*
12 *States v. Chester*, No. 14-17293.
13

14 3. Office personnel are currently involved in extensive preparations and
15 packing for the office move. The computer system is scheduled to be taken off line
16 tomorrow. It is hoped the move can be accomplished expeditiously but there remains
17 considerable work to be done. The new building has been behind schedule for several
18 years and is still surrounded by the perimeter security fences of a construction zone.
19 The undersigned is uncertain when operations will resume as usual.
20

21 4. This extension is requested to allow the government to become
22 operational, and the undersigned to complete the response and have it prepared for
23 filing.
24
25
26

DATED this 30th day of March, 2016.

/s/
CAMILLE W. DAMM
Assistant United States Attorney

DATED this 6 day of April, 2016.

3

CERTIFICATE OF SERVICE

I, Ellenrose Jarmolowich, do hereby certify that on March 30, 2016, a copy of the attached GOVERNMENT'S APPLICATION FOR EXTENSION OF TIME was sent via CM/ECF to all parties and defendant Byington via United States Postal Service at the below address:

Steven Byington
23935-048
FCI La Tuna
PO Box 3000
ANTHONY, TX 88021
PRO SE

/S/ Ellenrose Jarmolowich
Legal Assistant

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